

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

INDECK KEYSTONE ENERGY LLC,

Plaintiff,

v.

Civil Action No. 04-325 Erie

VICTORY ENERGY OPERATIONS
LLC,

Judge Sean J. McLaughlin

Defendant

JURY TRIAL DEMANDED

Declaration of Scott A. Stringer

I, Scott A. Stringer, declare under penalty of perjury that the following is true and correct:

1. I am a Certified Public Accountant and a Certified Valuation Analyst.

2. I have received a Master's Degree In Business Administration-Finance from St. Louis University in St. Louis, Missouri, and a Bachelor of Science Degree in Accounting from Southern Illinois University Edwardsville, Illinois.

3. Based on my education and experience, I am familiar with Generally Accepted Accounting Principles (GAAP) including cost accounting principles.

4. GAAP and cost accounting principles are generally accepted in the accounting industry as reliable and proper procedures for calculating gross profits.

5. I have reviewed the expert report and related materials submitted by Indeck Keystone Energy LLC's expert witness on damages, William Liebel.

6. Based on my review of Mr. Liebel's curriculum vitae, Mr. Liebel is not a certified public accountant and has no background in performing a detailed job cost accounting analysis. As such, he lacks the requisite knowledge, training, and experience in analyzing profit margins and calculating future profits.

7. There is no indication in Mr. Liebel's report that he has attempted to utilize GAAP or any other generally accepted accounting methodology to ascertain the gross profit earned by VEO on boilers that it sold. Mr. Liebel therefore failed to use the sort of reliable, tried and tested methodology that a qualified CPA would use to determine future profits.

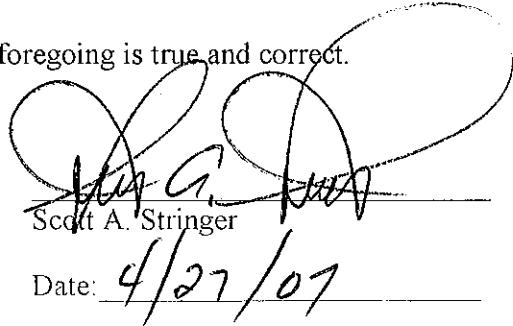
8. Mr. Liebel used a different methodology to compute profits for the Keystone boilers than he used to compute profits for the Voyager boilers and neither methodology is accepted in the accounting industry.

9. Mr. Liebel's calculations also include mathematical errors.

10. The profit margins underlying Mr. Liebel's calculation of profits attributable to the Voyager jobs are unsupported and untested.

11. Based on the foregoing, I believe that Mr. Liebel's report cannot be relied upon to calculate gross profits to any reasonable degree of reliability and that the reasoning and methodology underlying his testimony is not scientifically valid.

I declare under penalty of perjury that the foregoing is true and correct.



Scott A. Stringer
Date: 4/27/07